

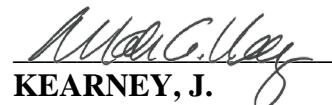
**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JAMARCUS FENNELL** : **CIVIL ACTION**  
:  
**v.** : **NO. 19-4183**  
:  
**CHARLES HORVATH, et al.** :

**ORDER**

**AND NOW**, this 23<sup>rd</sup> day of June 2020, upon considering the Defendants' Motion *in limine* to preclude evidence of discipline upon Officer Colarusso (ECF Doc. No. 71), Plaintiff's Response (ECF Doc. No. 79), and for reasons in the accompanying Memorandum, it is  
**ORDERED** the Defendants' Motion (ECF Doc. No. 71) is **GRANTED in part** and **DENIED in part**:

1. The parties may address Officer Colarusso's earlier use of the term "snitch" to refer to incarcerated persons who "filed a slip" or grieved his conduct and what may happen to those persons including those referenced in a disciplinary review and may introduce documents referencing his use of the term "snitch" redacting for all other purposes; and,
2. Unless the Defendants open the door, the Plaintiff may not otherwise refer to any other aspect of Defendant Colarusso's disciplinary records, including evidence of discipline upon him, as they do not tend to evidence intent or motive, are not evidence of habit, and their probative value is outweighed by their prejudicial effect.

  
**KEARNEY, J.**